

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru Ikeda et al.

Serial No.: 10/572,983

Filed: March 22, 2006

For: PLAYBACK APPARATUS  
PROGRAM AND PLAYBACK  
METHOD

Examiner:

Group Art Unit:

Confirmation No. 6935

June 30, 2009

**PETITION TO WITHDRAW ABANDONMENT UNDER 37 CFR 1.181**

Mail Stop Petition  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

Applicants hereby petition to withdraw abandonment of the above subject patent application.

Applicants received Notice of Abandonment dated 06/26/2009, stating that the abandonment of the application resulted in the applicants' failure to timely respond to the Notice of Missing Parts mailed 08/28/06 within the time period set therein.

Applicants did in fact respond to Notice of Missing Parts mailed 0828/06 within the time period set, as evidenced by the attached true copy of the return receipt postcard indicating a stamp receipt date of "18 SEP 2006" by the "IAP6 REC'D PCT/PTO" Patent & Trademark Office. Also, attached are true copies of our Response to Notification of Missing Requirements under 35 USC 371 Transmittal Letter with certificate of mailing and the Declaration and Power of Attorney for U.S. Patent Application executed by all inventors dated

September 13, 2006. All documents are indicated as the "Enclosures" on the return receipt postcard. As set forth in the attached Declaration of Candy Neu.


Since applicant did respond timely to the Notice of Missing Parts, the abandonment was not applicants' fault. It is requested that this application be reinstated and any fees associated with this petition of withdraw of abandonment for the above-identified patent application be waived.

If any additional fees are due, please charge our Deposit Account No. 19-2814.

If there are any questions with regard to this matter, please contact the undersigned attorney at the listed telephone number.

Very truly yours,

**SNELL & WILMER L.L.P.**



---

Joseph W. Price  
Registration No. 25,124  
600 Anton Boulevard, Suite 1400  
Costa Mesa, CA 92626-7689  
Tel: 714-427-7420

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 10/572,983

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Examiner:

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Confirmation No. 6935

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Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**DECLARATION OF CANDY NEU**

I, CANDY NEU, declare as follows:

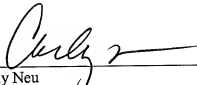
1. I am employed as a Patent and Trademark Assistant for the firm of SNELL & WILMER, L.L.P.
2. I am responsible for preparing, filing and/or mailing foreign and domestic patent applications, responses to missing parts notices, amendments, issue fees, and all other types of communications with the U.S. Patent and Trademark Office.
3. On September 13, 2006, I prepared the mailing of our Response to the Notification of Missing Requirements for the above-identified application. I filled out the itemized postcard receipt and I verified that I was enclosing the executed Declaration, Power of Attorney, Transmittal Letter, Copy of the Missing Parts Notice and Certificate of Mailing, which

was signed by the undersigned. I then put all the pages of all the parts of our response, as indicated above and the postcard into an envelope, addressed as follows: "Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 and placed the envelope with the U.S. Postal Service as first class mail, Exhibit A.

4. A true and correct copy of the postcard, U.S. Patent Office stamped that I filled out and submitted with our response to the Notification of Missing Parts, was returned to our office on September 22, 2006 by the PCT/PTO and is attached hereto as Exhibit B.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present application or any registration issued thereon.

Dated: June 30, 2009

  
Candy Neu

COPY

Received in the U.S. Patent Office  
Kindly date-stamp and return this card with  
Early Notification of Serial No. (if Applicable)

Date: 9-13-2006  
Client: NAKAJIMA  
For: PLAYBACK APPARATUS..  
Dkt. No.: 50478-0800

Serial No.: 10/572,983

Enclosed are:

- |  |  |
|--|--|
| <input type="checkbox"/> Specification and Claims (PP- )                       | <input checked="" type="checkbox"/> Declaration, Power of Attorney |
| <input type="checkbox"/> Drawings ( _____ sheets)                              | <input type="checkbox"/> Assignment                                |
| Formal _____ Informal  | <input type="checkbox"/> Amendment                                 |
| <input type="checkbox"/> Info. Disc. Statement                                 | <input checked="" type="checkbox"/> Certificate of Mailing         |
| <input checked="" type="checkbox"/> Dep. Acct. <u>Charge</u> for <u>150.00</u> | <input type="checkbox"/> Issue Fee Transmittal                     |
| <input type="checkbox"/> Priority Documents                                    | <input checked="" type="checkbox"/> Transmittal Letter             |
| <input type="checkbox"/> PTO 1449 W/References                                 | <input type="checkbox"/> Extension of Time                         |
| <input checked="" type="checkbox"/> Other <u>Copy of Missing Part</u>          | <input type="checkbox"/> Express Mail No.                          |
|  | <u>Notice</u>  |

EXHIBIT A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Wataru Ikeda et al.

Serial No.: 10/572,983

Filed: March 22, 2006

For: PLAYBACK APPARATUS, PROGRAM, AND  
PLAYBACK METHOD

Patent Examiner:

Group Art Unit:

CUSTOMER NO. 52044

September 13, 2006

Costa Mesa, California 92626

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS  
UNDER 35 USC 371

Mail Stop PCT  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 USC 371 mailed 08/28/2006, enclosed is the executed oath for filing in the above-identified case. Also, attached is a copy of the 371 Formalities Letter.

Please charge the surcharge of \$130.00 for late filing of this oath to our deposit account No. 19-2814.

If there are any questions with regard to this matter, please do not hesitate to contact the undersigned attorney.

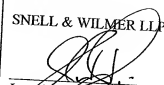
I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop PCT, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on September 13, 2006 by Candy Neu

  
Signature

Date of Signature: September 13, 2006

Very truly yours,

SNELL & WILMER LLP

  
Joseph W. Price, Reg. No. 25,124  
600 Anton Boulevard, Suite 1400  
Costa Mesa, CA 92626-7689  
Tel: 714-427-7420  
Fax: 714-427-7799

COPY

COPY

MEI Form -1.2, (July 1, 2005)

Docket No. 50478-0800

## DECLARATION AND POWER OF ATTORNEY FOR U.S. PATENT APPLICATION

☒ Original ☐ Supplemental ☐ Substitute ☐ PCT ☐ Design

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; and I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Title: PLAYBACK APPARATUS, PROGRAM, AND PLAYBACK METHOD

which is described and claimed in (if the following box is not checked, the specification of which is attached hereto):

☐ the attached specification, or☒ the specification in the Application No. 10/572,983 filed on 3/22/2006;☒ and with amendments filed on \_\_\_\_\_ (if applicable), or☒ the specification in International Application No. PCT/JP2004/015337 filed 12.10.2004 and as amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge my duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 (a-d), §172, or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT international application which designated at least one country other than the United States of America, listed below, and have also identified below any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NO.	DATE OF FILING	PRIORITY CLAIMED
Japan	2003-352913	10.10.2003	YES
Japan	2003-379758	10.11.2003	YES

☐ Additional foreign or international application numbers are listed on a supplemental priority sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States Provisional application(s) listed below.

Number	(Day/Month/Year Filed)

☐ Additional U.S. provisional application numbers are listed on a supplemental priority sheet attached hereto.

I hereby claim the benefit under Title 35, United States Code §120 of any United States application(s), or §365(C) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of

Docket No. 50478-0800

the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

APPLICATION NO.	U.S. FILING DATE	STATUS: PATENTED, PENDING, ABANDONED

☐ Additional U.S. or international application numbers are listed on a supplemental priority sheet attached hereto.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the attorneys and agents associated with U.S. Patent and Trademark Office Customer Number identified below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and direct that all correspondence be addressed to that customer number.

I hereby authorize the U.S. attorneys and agents associated with the customer number to accept and follow instructions from Matsushita Electric Industrial Co., Ltd., and any affiliated or subsidiary company thereof, received via their corporate representatives and/or their foreign patent attorneys or agents, if any, as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. attorneys or agents and myself.

Direct Correspondence to:

**CUSTOMER NUMBER 52044**

I further declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of Sole or First Inventor	FIRST NAME Wataru	LAST NAME IKEDA	SIGNATURE <i>Wataru Ikeda</i>	DATE OF SIGNATURE <i>March 21, 2006</i>
Residence & Citizenship	CITY Osaka	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan	
Post Office Address	ADDRESS c/o Matsushita Electric Industrial Co., Ltd. 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 Japan		CITY Kadoma	STATE OR COUNTRY Japan

Full Name of Second Inventor	FIRST NAME Hiroaki	LAST NAME IWAMOTO	SIGNATURE <i>Hiroaki Iwanoto</i>	DATE OF SIGNATURE <i>March 31, 2006</i>
Residence & Citizenship	CITY Osaka	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan	
Post Office Address	ADDRESS c/o Matsushita Electric Industrial Co., Ltd. 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 Japan		CITY Kadoma	STATE OR COUNTRY Japan



Docket No.

MEI Form -1.2, (July 1, 2005)

Full Name of Third Inventor	FIRST NAME Tomoyuki	LAST NAME OKADA	SIGNATURE <i>Tomoyuki Okada</i>	DATE OF SIGNATURE March 27th, 2006
Residence & Citizenship	CITY Nara	STATE OR COUNTRY Japan	COUNTRY OF CITIZENSHIP Japan	
Post Office Address	ADDRESS c/o Matsushita Electric Industrial Co., Ltd. 1006, Oaza Kadoma, Kadoma-shi, Osaka 571-8501 Japan	CITY	STATE OR COUNTRY	ZIP CODE

Full Name of Fourth Inventor	FIRST NAME	LAST NAME	SIGNATURE	DATE OF SIGNATURE
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

Full Name of Fifth Inventor	FIRST NAME	LAST NAME	SIGNATURE	DATE OF SIGNATURE
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

Full Name of Sixth Inventor	FIRST NAME	LAST NAME	SIGNATURE	DATE OF SIGNATURE
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

Full Name of Seventh Inventor	FIRST NAME	LAST NAME	SIGNATURE	DATE OF SIGNATURE
Residence & Citizenship	CITY	STATE OR COUNTRY	COUNTRY OF CITIZENSHIP	
Post Office Address	ADDRESS	CITY	STATE OR COUNTRY	ZIP CODE

(If there are more than seven inventors, please add a copy of this page for identification and signature for the additional inventors)

The above application may be more particularly identified as follows:

U.S. Application No. 10/572,983 Filing Date 3/22/2006

Applicant Reference Number P036313-02 Attorney Docket No. 50478-0800



## UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/572,983	FIRST NAMED APPLICANT Wataru Ikeda	ATTY. DOCKET NO. 504780800
---	---------------------------------------	-------------------------------

52044  
 SNELL & WILMER L.L.P.  
 600 ANTON BOULEVARD  
 SUITE 1400  
 COSTA MESA, CA 92626

INTERNATIONAL APPLICATION NO. PCT/JP04/15337	
I.A. FILING DATE 10/12/2004	PRIORITY DATE 10/10/2003

RESPONSE DUE 10-28-06  
 ACTION Oath & Fee due

CONFIRMATION NO. 6935  
 371 FORMALITIES LETTER



\*OC00000002020864\*

Date Mailed: 08/28/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/22/2006
- English Translation of the IA filed on 03/22/2006
- Copy of the International Search Report filed on 03/22/2006
- Information Disclosure Statements filed on 03/22/2006
- Oath or Declaration filed on 03/22/2006
- Request for Immediate Examination filed on 03/22/2006
- U.S. Basic National Fees filed on 03/22/2006
- Priority Documents filed on 03/22/2006
- Specification filed on 03/22/2006
- Claims filed on 03/22/2006
- Abstracts filed on 03/22/2006
- Drawings filed on 03/22/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/572,983	PCT/JP04/15337	504780800

Received in the U.S. Patent Office  
Kindly date-stamp and return this card with  
Early Notification of Serial No. (if Applicable)

Date: 9-13-2006  
Client: NAKAJIMA  
For: PLAYBACK APPARATUS...  
Dkt. No.: 50478-0880

Serial No.: 10/572,983

LAP6 Rec'd PCT/PTO 18 SEP 2006

Enclosed are:

- |  |  |
|--|--|
| <input type="checkbox"/> Specification and Claims (PP- )               | <input checked="" type="checkbox"/> Declaration, Power of Attorney |
| <input type="checkbox"/> Drawings (____ sheets)                        | <input type="checkbox"/> Assignment                                |
| ____ Formal      ____ Informal   | <input type="checkbox"/> Amendment                                 |
| <input type="checkbox"/> Info. Disc. Statement                         | <input checked="" type="checkbox"/> Certificate of Mailing         |
| <input checked="" type="checkbox"/> Dep. Acct. <u>Chang for Board</u>  | <input type="checkbox"/> Issue Fee Transmittal                     |
| <input type="checkbox"/> Priority Documents                            | <input checked="" type="checkbox"/> Transmittal Letter             |
| <input type="checkbox"/> PTO 1449 W/References                         | <input type="checkbox"/> Extension of Time                         |
| <input checked="" type="checkbox"/> Other <u>Copy of Missing Parts</u> | <input type="checkbox"/> Express Mail No.                          |

COPY

EXHIBIT B

RECEIVED  
SEP 22 2006

SNELL & WILMER